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## Deer Hill Road - Pros and cons of Measure L debated

By Pippa Fisher



Measure L, on the ballot for a special election June 5 to determine the future of the Deer Hill Road property, is currently the subject of heated discussion throughout Lafayette. Lamorinda Weekly asked spokespeople from both the Yes on L Campaign (Brandt Andersson and Vice Mayor Cam Burks) and the No on L Campaign (Michael Griffiths and Scott Sommer) for their responses to several questions on the issues.

Q: Why is, or why isn't Measure L the best plan for Deer Hill?

Photo Pippa Fisher

Yes on L: Measure L is the city council-approved plan for the Deer Hill property. Your yes vote preserves over half the land as open space and community parklands while allowing a limited number of homes and providing many benefits to Lafayette residents. Putting this plan side by side with the original proposal of 315 apartments and no community amenities, we know that Measure L is the best choice for Deer Hill.

No on L: Several better solutions would reduce traffic and pollution. \$3 million of public money shouldn't go for a children's play area and field 160 and 200 feet from busy Pleasant Hill Road.

Q: Will the project make traffic congestion at Pleasant Hill Road and Deer Hill Road worse?

No on L: The EIR reports: Additional 1,224 vehicle trips/day. "Delay Index would increase... a "significant cumulative impact." Level of service "F" at Deer Hill/Pleasant Hill Road ("jammed conditions with excessive delays and long back-ups").

The roundabout on Deer Hill (12,200 daily trips) exceeds slope standards; construction would close the road for months.

Yes on L: Measure L improves student safety with a dedicated bus turnout, designated drop-off and pickup locations, and a pathway to Springhill Elementary. Any development will add vehicles to the area. However, Measure L ensures that the development is reduced from 315 multi-family units to 44 single-family homes. Measure L also includes over \$500,000 in improvements to that intersection for students, bicyclists, and pedestrians to reduce current traffic problems.

Q: What does Measure L include for the community?

Yes on L: The approval includes 11 acres of public parklands and trails, an all-weather multi-use athletic field, a 2.9-acre dog park, a park and playground, a 78-car parking lot across from Acalanes High School including a dedicated bus turnout and student drop-off and pickup zone, over \$500,000 in bicycle and pedestrian improvements on Pleasant Hill Road, and nearly \$400,000 in payments to our local schools.

No on L: The play area/field on the lower part of the site gave the developer an excuse to put units higher on the ridgeline. According to a letter to the city dated April 23 from a member of the City School Board Fields Committee, the Deer Hill site was determined "not viable." Two sites on city and school district land are proposed.

Q: Will there be a serious health risk to children at the proposed children's play area and sports field from fine and ultra fine particulate matter and other air pollutants?

No on L: The City mismanaged analysis of air pollution risk at the play area/field. The EIR reported Deer Hill exceeded Bay Area Air Quality Management District (BAAQMD) thresholds for cancer and 2.5 micron particulate matter (PM), but addressed only 2.5 micron and larger PM. It ignored 0.3 micron and ultrafine PM widely considered more toxic because it penetrates the lungs, bloodstream, and blood/brain barrier - causing a much greater health risk. Active children would breathe 4 million 0.3 micron PM per minute when the Air Quality Index is Unhealthy for Sensitive Groups, per James Leach, 2017 City of Lafayette Environmental Award of Excellence recipient, a level found at sites by busy roadways in Concord and Oakland monitored by BAAQMD.

Mr. Leach commented: "My objection to constructing a sports field and play area at the Deer Hill project is that the level of air pollution ... is unhealthy for such activities. These conditions are especially hazardous to children. ... It is well established that being close to such heavy traffic presents a serious health risk from exposure to fine solid and liquid particulates."

BAAQMD recommends placing "sensitive land uses ... such as schools, playgrounds" away from busy roadways.

'Yes' argues a sports field is not a school site subject to SB 352, Ed. Code 17213. Incorrect. The legislature's definition of school site (Ed. Code 17609(f)) includes "playgrounds, athletic fields ..."

There was no complete health risk analysis for children. Voters should be guided by state law restricting new school sites within 500 feet of busy roadways and BAAQMD and Leach recommendations.

Yes on L: No. The independent Environmental Impact Report studied potential impacts and determined there is no significant risk and required no mitigation. In response to additional community concerns this spring, O'Brien Homes ordered an expanded Health Risk Assessment from an outside expert that focused on the users of the park and sports field using the latest air quality guidelines from the Office of Environmental Health Hazard Assessment and Bay Area Air Quality Management District which confirmed that there is no significant cancer-related, chronic, acute or particulate matter related health risk to park visitors and sports field users. Any air quality impacts are well below the established BAAQMD threshold. You can read both reports on the campaign website at [www.YesOnL2018.org](http://www.YesOnL2018.org)

Q: What happens if Measure L doesn't pass? What happens with the 315-apartment project?

Yes on L: If Measure L fails, the property remains privately owned and zoned for development. The zoning on the property would remain "APO," which allows multi-family housing at 35 units/acre for a maximum of 770 units. If Measure L fails, O'Brien Homes has a process agreement in place with the city to restart the 315-apartment project, which is well within the allowed zoning. New state laws have made it more difficult for local government to deny an affordable housing project such as this. Moreover, approval of the apartment project will not be subject to a vote because it falls within allowed zoning and doesn't require the adoption of a new ordinance. The public open space, sports field, dog-park, playground, and intersection improvements would return to the community's wish list.

No on L: The developer "suspended" the 315-apartments application without a vote (1/13/14) after the EIR was certified with 13 significant unavoidable impacts, including air quality and traffic. Those unavoidable health and safety impacts are a firm legal ground for denial under the Housing Accountability Act, Government Code 65589.5(d)(2). The property is low density and a general plan amendment would be subject to referendum.

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